

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FREDERICK D. PIÑA,

Plaintiff,

-v-

UNITED STATES OF AMERICA,

Defendant.

20 Civ. 1371 (PAE) (BCM)


ORDER

PAUL A. ENGELMAYER, District Judge:

The Court has received a letter from plaintiff Frederick D. Piña, responding to the Court's recent decision adopting U.S. Magistrate Judge Barbara C. Moses's report and recommendation that his claim for \$146 million in lost-business damages be dismissed for failure to comply with the presentment requirement of the Federal Tort Claims Act ("FTCA"). *See* Dkt. 32. Piña states that he did not receive a copy of the report and recommendation in time to submit his objections because he had changed address before the report was mailed, and that he did not receive it. It appears that Piña notified the Court of his change in address, but that the Court received that notice only after the report issued and was mailed to his old address. *See* Dkts. 29–30. To ensure that Piña has a full opportunity to be heard on his claims, the Court grants Piña an additional two weeks, until **June 3, 2021**, to submit any objections to the report.

The Clerk of Court is respectfully directed to mail a copy of this order and the report and recommendation at docket 29 to Piña at the most recent address on file.

SO ORDERED.


Paul A. Engelmayer
United States District Judge

Dated: May 20, 2021
New York, New York